

METRO NEWS

# Federal court in N.O. wins award for jury system

By STEVE CANNIZARO  
 Staff writer

When people are called for jury duty in federal district court in New Orleans, they can pretty much count on being chosen to hear a case, even if it means going before several judges until they are picked.

The clerk's office for the Eastern District of Louisiana has gotten so good at utilization of juries that it was presented a special citation this week by the national

Administrative Office of United States Courts.

The citation, given Wednesday to Clerk of Court Loretta G. Whyte, recognizes her office for leading the nation's 95 clerk's offices the past three years in having the lowest percentage of potential jurors not used after they are called for duty.

The New Orleans office has had an average of 16 percent of potential jurors not used over the three-year period, said L. Ralph Mecham, director of the national administrative office.

This year, the figure has been less than 9 percent.

"It's the low score that counts in this," Mecham said after giving the citation to Whyte.

"This court has been a leader in the country and has been instrumental in giving seminars to help others (clerk's offices) utilize jurors' time more effectively," Mecham said.

The administrative office's national goal for clerk's offices is about 30 percent, he said, adding that no other clerk's office comes

close to New Orleans' record for jury utilization.

Whyte, who credits the low average to a system designed to pool juries for use by more than one judge, said decreasing the number of prospective jurors who are called unnecessarily saves the government considerable money.

Whyte, who has been clerk of court for four years and was chief deputy clerk before that, said the 13 federal judges in the Eastern District of Louisiana have cooperated in creating the jury pooling system.

Judge Adrian Duplantier, one of the driving forces for the jury pool system started in New Orleans in 1980, said a major factor was getting judges to schedule jury trials on the same day and to stagger the starting time for trials.

If a person isn't selected for one trial starting at 8:30 a.m. or 9 a.m., that juror can be recirculated into the jury pool and go before another judge starting a trial at 10, 10:30 or 11, Duplantier said.

"We've had some jurors used four times in a single day" before they were chosen to hear a case, he said.

"They are being paid so you might as well keep them for the day," Judge Charles Schwartz Jr. said.

Under the old system, Duplantier said, each judge called his own pool of potential jurors and jurors not used were excused rather than going to another court for a different case.

## Suspicious fire



Firefighters battle the multialarm blaze on St. Andrew Street early Friday morning.

STAFF PHOTO BY G.E. ARNOLD

# Arson suspected in two N.O. fires

By VALERIE FACIANE  
 Staff writer

Firefighters battled two four-alarm fires and a smaller fire in Uptown New Orleans early Friday.

The two four-alarm fires might have been started by arsonists, Fire Superintendent William McCrossen said.

The first fire broke out at 12:49 a.m. at 1623 St. Andrew St., an unoccupied, wood-frame, two-story building. The fire had already spread to an adjacent building at 1625-27 St. Andrew when firefighters arrived and eventually became a four-alarm blaze, McCrossen said.

Damage was heavy at 1623 St. Andrew, and there was moderate damage to the building next door, he said.

Before that fire could be declared under control, the department was notified of a second fire six blocks away at 1566 Camp St., McCrossen said.

That fire also reached four-alarm status and destroyed one building. It had spread to another house next door when firefighters arrived, McCrossen said.

He said that in both incidents firefighters were able to control the fires before they destroyed other houses in the areas.

McCrossen said his department

is investigating the possibility of arson in the two fires because it is unusual for two fires to break out in such a short period of time and in such close proximity.

With two major fires, the city was down to 11 fire companies, McCrossen said. He said if he had been forced to call out one more fire company, he would have asked the Jefferson Parish Fire Department for help.

At 3:30 a.m., a little more than an hour after bringing the second fire under control, the Fire Department was notified of a third but smaller blaze three blocks from the Camp Street fire.

McCrossen said the fire at

1028 Josephine St. caused only minor damage and is believed to have been started accidentally.

Later in the day, two shotgun doubles were heavily damaged in a one-alarm fire in the 2600 block of Allen Street.

Investigators said they believe that the noon fire started at 2613-15 Allen and spread to the house next door at 2609-11 Allen.

Third District Chief William Sanderson and his firefighters placed the fire under control in 13 minutes, Fire Department spokesman Richard Blackmon said.

Nobody was injured in the fires.

# 2 questioned about housing authority pacts

By RICHARD BOYD  
 West Bank bureau

A West Bank builder and a New Orleans architect Friday went before a federal grand jury reportedly looking at contracts the two hold with the Jefferson Parish Housing Authority.

Pete Vicari of Harvey and Richard Oehler made brief appearances before the jury.

Vicari, represented by retired judge Alvin Oser, said he doesn't know what the investigation is about.

"I was only in there no more than two minutes," he said. "I supplied records on the Housing Authority contract and a contract I have for work with the Orleans Parish School Board."

"If I knew what this is about and what they want, I would be happy to respond both to them and to the media."

Oehler was not available for comment.

Vicari was awarded a \$1.85 million contract by the Housing Authority last year as general contractor for a \$2.5 million federally financed renovation project for the Acre Road project in Marrero.

Months before Vicari was awarded his contract, Oehler received a \$94,000 contract as architect.

He got it under the name of Facility Planning, the name of the department he heads for the Orleans Parish School System.

Oehler also got an \$8,000 contract to design playgrounds for Acre Road, using federal Community Development money given to Jefferson Parish. He was recommended for that job and the Lafitte Park study by Parish Councilman James Lawson.

Assistant U.S. Attorney Joe Giarusso, handling the probe, said its in preliminary stages, and

declined further comment. U.S. Attorney John Volz said, however, that the investigation involves contracts awarded Oehler and Vicari.

Housing Authority Chairman Herbert Wallace and authority attorney Larry Pieno also were subpoenaed.

They said they spent less than five minutes before the jury turning over records pertaining to Vicari and Oehler contracts.

"We weren't questioned. They just wanted the records. We gave them the records and they dismissed us," Pieno said.

Oehler was recently awarded a \$35,000 contract from the Jefferson Parish Council for a public housing and recreational use study of the lower Lafitte Park area under the name Architectural Design Consultants.

Authorities are exploring Lawson's relationship with Vicari and Oehler, sources said.

After getting the \$1.85 million contract, Vicari subcontracted \$1.55 million to Sidney Artigues, a Harvey contractor.

Regional Housing and Urban Development director Richard Franco said earlier this year that his staff would investigate the Vicari-Artigues connection.

Vicari also awarded a \$116,000 subcontract for carpeting and tile work to Bon Marche Furniture Store, owned by Parish Councilman Lloyd Giardina.

After HUD said that was a conflict of interest, the contract was canceled.

Victor Gabriel was chairman of the Housing Authority when he applied for the architect contract, Oehler said in February. At that time, Gabriel operated Metro Mortgage, a company owned by Vicari, but resigned when the state Commission on Ethics for Public Employees said it would be a conflict of interest if Vicari sought the Acre Road work.

# Two archaeologists doing dirty work on Battle of N.O. sites

By LISA MARTIN  
 St. Bernard/Plaquemines bureau

Jill-Karen Yakubik and Herschel Franks have boring jobs at the Chalmette National Historical Park.

But they dig the work.

Actually, the task the archaeologists have undertaken is far more significant than a bad pun indicates. They are spending a week taking soil samples from sections of the park, trying to determine where key parts of the Battle of New Orleans took place.

Much of the battle took place in 1815 on or near the park grounds. When the park was reconstructed in the 1960s for the 150th anniversary of the battle, it erroneously was believed that the Mississippi River washed away most of the battlefield, Yakubik said.

But during a routine check in 1983 of a proposed visitors' center at the park, archaeologists from the National Park Service, which operates the park, found the foundations of a house thought to have been lost to the river.

The discovery changed historians' beliefs about where the lines of battle were drawn.

Eventually, the Park Service will have to change the park's

layout, park ranger Ray Brende said Friday.

"But it's a real long process," he said. "That's why we're doing the coring now."

The dirt samples will show if and where soil was moved to build earthen batteries that protected soldiers during the battle.

Soil generally rests in specific layers, Franks said. If the land has been disturbed, the layers will reflect the change, he said.

He and Yakubik began working this week on the northwestern side of the park, where Battery No. 7 now is believed to have been. Batteries No. 7 and No. 8 protected American troops, led by Maj. Gen. Andrew Jackson, from British soldiers coming through the swamps, Brende said.

While at the park, the two archaeologists intend also to take samples from the suspected Battery No. 8 site, in the wooded area north of Battery No. 7; from Battery No. 5, believed to be on the south side of the battlefield; and from an arc-shaped earthwork, called a redan, also thought to be in the park.

The job is time-consuming and seems tedious to the untrained observer. Franks bores a soil probe — a long, stainless steel, pipe-shaped tool — into the selected spot. He removes samples



Herschel Franks digs soil core as Jill-Karen Yakubik charts soil data at the Chalmette park.

STAFF PHOTO BY CHUCK COOK

*Yakubik examines the columns of dirt for changes in soil color, using a color chart that resembles a paint-chip card from the hardware store.*

from the soil surface, from one meter deep and from two meters deep.

"The hardest part is getting it (the probe) started," he said, straining to push the probe into

that resembles a paint-chip card from the hardware store, she records the colors of different sections of the sample.

Finally, the two store each sample in a labeled zip-top plastic bag.

They will take about 150 samples during their week at the park, Yakubik said.

But they won't have results of the tests for some time, she said. Park Service archaeologist Ted Birkedal will have to analyze the samples and compare them to the information he gathered at earlier digs at the park, she said.

# City utility consultant replaced

The City Council decided Thursday to replace its chief local consultant on utility issues, lawyer Brod Bagert, with a team of three lawyers.

Walter J. Wilkerson and the firm of Carter and Cates were hired to advise council members, who regulate the rates of New Orleans Public Service Inc.

Council members said they wanted to distribute legal representation between local black attorneys and the Washington law firm of Verner, Liipfert, Bernhard, McPherson and Hand.

The council now receives legal advice on energy matters from city attorneys and Verner Liipfert. Bagert, a former city councilman, provided advice until earlier this year, when his contract was not renewed.

Wilkerson, 1st District Assessor Kenneth Carter and Sidney Cates IV are black. All three have close political ties to council members and the Barthelemy and Morial administrations.

Carter is a close friend of Councilman James Singleton. Cates is the son of Sidney Cates III, former director of the Housing Authority of New Orleans and a political ally of former Mayor Dutch Morial. Wilkerson is the law partner of Ronald Nabonne, one of Mayor Sidney Barthelemy's closest political advisers.

The attorneys will be paid \$115 an hour for their work with the council.